



MINUTES
 Twin Falls City Planning & Zoning
 Commission
April 23, 2013-6:00 PM
 City Council Chambers
 305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Terry Ihler Gerardo Munoz Chuck Sharp
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods
Vice-Chairman

CITY COUNCIL LIAISON

Suzanne Hawkins Rebecca Mills-Sojka

ATTENDANCE

PLANNING & ZONING MEMBERS MEMBERS

PRESENT:

Boyd
 Derricott
 Frank
 Grey
 Sharp

ABSENT:

Ihler
 Munoz

AREA OF IMPACT

PRESENT:

DeVore
 Woods

ABSENT:

CITY COUNCIL MEMBERS PRESENT: Hawkins, Mills-Sojka

CITY STAFF PRESENT: Carraway, Spendlove, Strickland, Vitek, Wonderlich

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

III. ITEMS OF CONSIDERATION:

1. Preliminary Presentation to request the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 R-4 to C-1 PUD to allow a hotel and accessory uses on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC (app. 2565)

IV. PUBLIC HEARING ITEMS

1. Request for the Commission's recommendation on an amendment to the PUD Agreement which will allow a truck rental business and outside vehicle storage in conjunction with a storage unit facility on property located at 485 Grandview Drive. c/o Gregg Olsen on behalf of MOJO, LLC. (app. 2564)

2. Request for the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD to develop a planned mixed-use development on 4.6 acres (+/-) located at the northwest corner of Addison Avenue East and Eastland Drive c/o Scott Allen, The Land Group on behalf of Thomas & Cheryl Arledge and TOMERYL, LLC (app. 2563)

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff present.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **NONE**
2. Approval of Findings of Fact and Conclusions of Law:
 - Thompson (SUP 04-09-13)

UNANIMOUSLY APPROVED

Planner I Spendlove stated staff would request that an amendment to the Agenda be made adding an Item of Consideration. Because it is a change to the agenda a motion is required. The Item of Consideration is regarding Special Use Permit #1283 issued to United Metal Recycling on January 23, 2013.

Roll call vote was taken and unanimously approved.

Wayne Brown, the representative for United Metal Recycling, stated that during their presentation on January 23, 2013 photos were presented showing that an 8' solid metal fence was going to be installed at property located at 2499 Warren Avenue. Since the Special Use Permit approval it was discovered that to provide engineered plans for this type of fence will cost an estimated \$100,000.00. What is being proposed is an 8' slatted chain link which is common to auto recycling and metal recycling uses. The cost exceeded their expectation and this alternative would still meet the same goals but be less expensive to install and would be consistent with what is being used in Twin Falls.

Planner I Spendlove explained the request is to get an interpretation from the Commission on the code requirement as to whether or not this alternative material meets code and if it is an acceptable substitute, otherwise the request will have to come back through the public hearing process again.

City Attorney Wonderlich explained that in the previous presentation the screening fence was proposed to be 8' solid metal screening fence, tonight the request is to change the type of material presented at the public hearing to an 8' slatted chain link fence. The Special Use Permit conditions didn't specify materials to be used however because this material is different than what was presented at the public hearing the Commission has to decide whether or not it is an acceptable alternative.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Frank verified with the City Attorney that this did not require a second public hearing.
- Commissioner Woods verified with the applicant that the screening portion of the fence would be 8'.

- Mr. Brown confirmed that the solid fencing portion would be 8' tall as required by code.
- Commissioner Sharp stated he felt the screening alternative meets code requirement for screening.

MOTION:

Commissioner Sharp made a motion to approve the request, as presented. Commissioner Grey seconded the motion. All members present voted in favor of the motion. Special Use Permit #1283 will be amended to reflect the materials approved this evening.

III. ITEMS OF CONSIDERATION:

1. Preliminary Presentation to request the Commission's recommendation on a Zoning District Change and Zoning Map Amendment from C-1 R-4 to C-1 PUD to allow a hotel and accessory uses on property located at 1810 Washington Street North c/o Gerald Martens on behalf of Westpark Partners, LLC (app. 2565)

APPLICANT PRESENTATION:

Gerald Martens, EHM Engineering, Inc., representing the applicant stated the request is to rezone the property to allow for a Hotel. The applicant is here for any questions. As the land owner they will be presenting a PUD Plat that is specific to allow the hotel as presented. The property is located at 1810 Washington Street North. He reviewed the exhibits on the overhead. The PUD Agreement will address signage, lighting, building position to accommodate the parking and minimum requirements for landscaping. There will not be any additional curb cuts to access the property, it will be a shared access. The parking configuration does not provide for truck parking. The setback was increased to reduce the impacts to the surrounding properties, the maximum height will be 35' with architectural projections not to exceed 41'. The signing will be a monument type to keep consistent with the other development in the area. It is a 92 room three story building. Notices have been sent to the neighbors regarding a May 1, 2013 6:00 PM at the EHM Conference Room located at 621 North College Road meeting to discuss the project. The request is consistent with the surrounding zoning designations and existing PUD's.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and stated this is a preliminary presentation therefore no action is required this evening. He reviewed the location of the property on the overhead and explained that this request will be reviewed by staff at the public hearing.

City Code requires this type of request present a preliminary PUD presentation to the Commission prior to a public hearing. The purpose of this presentation is to allow the Commission, the adjacent property owners and general public to hear from the developer what type of development is being planned for the property. No action is taken at this preliminary presentation however the Commission and the public can ask questions and make comments at this time prior to the public hearing.

Staff makes no recommendations at this time. A public hearing regarding this request will be heard at the regularly scheduled Planning & Zoning Commission public meeting on Tuesday, May 14, 2013. Further staff analysis will be given at that time.

PUBLIC COMMENTS/QUESTIONS: OPENED & CLOSED

**PUBLIC HEARING SCHEDULED BEFORE THE
PLANNING & ZONING COMMISSION MAY 14, 2013**

IV. PUBLIC HEARING ITEMS

1. Request for an Amendment to the Muni-Storage Facility PUD Agreement, 6.4 acres +/-, to allow for a u-haul rental business and outside boat, RV and automobile storage yard for the storage facility customers on undeveloped property within the PUD on property located at 485 Grandview Drive. c/o Gregg Olsen on behalf of MOJO, LLC. (app. 2564)

APPLICANT PRESENTATION:

Gregg Olsen, the applicant, stated he would like to be able to rent u-hauls because it would be convenient for the customers. The project has been planned in phases and he is asking that the paving requirement be deferred so that when the next phase is completed he doesn't have to re-install the paving.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and stated this is a request for an amendment to a PUD Agreement for the Muni-Storage Facility, 6.4 (+/-) acres, to allow for a u-haul rental business and outside boat, RV and automobile storage yard for the storage facility customers on undeveloped property within the PUD property located at 485 Grandview Drive.

In April of 2008 this property was approved for a Comprehensive Plan – Future Land Use change and had a Zoning District Change and Zoning Map Amendment approved in May of 2008 changing the property from R-4 to C-1 PUD. The PUD Agreement was approved by the City Council, however, it has not been recorded. This is a request to amend that PUD Agreement, to allow for the additional uses.

If amended-Section 2-B of the PUD Agreement would allow for a u-haul rental business and outside boat, RV and automobile storage yard for the storage facility customers on undeveloped property located within the PUD property described within. This verbiage if approved as written would allow him to store RV's, Boats and Automobiles on undeveloped property on the Revised Master Development Plan- Phase 2, reviewed on the overhead. City Code 10-11-4B states. "Surfacing: All parking and maneuvering areas shall be hard surfaced with Portland concrete or asphaltic concrete surface material." The PUD is located in the C-1 zoning district which requires all developed/utilized areas be hard surfaced.

The applicant is asking that the hard surfacing not apply to his PUD. The Engineering Department has reviewed the request and would not recommend approval of any undeveloped area to be used for outside storage unless it is paved. An alternative surface would be acceptable until the time Phase 2 is finished. The acceptable alternative would need to be 2" thick regrid with chip seal over the top in addition any unpaved portion of the property will need to have a substantial barrier delineating the developed area and undeveloped area to discourage the use of undeveloped property. Examples of substantial barriers would be fencing, bumper blocks, jersey barriers or another material or object approved by the Engineering Department.

Planner I Spendlove stated upon conclusion should the Commission recommend approval of this request, as presented, staff recommends the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards; and the recorded Muni-Storage Facility PUD Agreement.
2. Subject to the perimeter drive aisle on the far West and South side of the property, adjacent to currently constructed storage buildings, being hard surfaced with concrete or asphalt per City Code 10-11-4-(B).
3. Subject to undeveloped areas wishing to be used as outside storage being hard-surfaced per Engineering Department requirements.
4. Subject to undeveloped and un-paved areas having a substantial barrier to discourage use of the property per the Engineering Department requirements.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Boyd asked about the phased construction quote 3-C in the agreement and asked if that was referring to the hard surfacing requirement. If the PUD is not recorded how does this process move forward.
- Zoning & Development Manager Carraway explained that typically when a PUD comes through the process it is in conjunction with a plat. This project did not require platting that is how the agreement was missed for signature. The rezone ordinance and this agreement were both approved by the City Council. The PUD Agreement just has not been recorded. Leaving the area undeveloped with dirt and gravel does not satisfy City Code requirements.
- Commissioner Woods asked if the U-Haul business is a new issue, because the pictures provided shows they are already on-site.
- Zoning & Development Manager Carraway stated they are on-site and have been on-site which is why the applicant is requesting this change so that the property can be brought into compliance.
- Commissioner Woods confirmed that the property is currently out of compliance.
- Commissioner Grey asked why the new development is not paved in front of some of the developed storage units / buildings.
- Mr. Olsen stated that he has an agreement with a tenant to have the paving completed this summer in exchange for the use of a storage unit.
- Commissioner Grey asked about the gravel area and if that space could be paved where the u-haul trailers are parked.

- Mr. Olsen explained the process for completing the drainage system would require that the paving occur after the storm water retention has been installed. Blocking off the area would present an issue for the fire access. The cost of installing asphalt and then tearing out to replace it once the project is complete would be extreme.
- Planner I Spendlove explained where the barrier should be located.
- Commissioner Derricott asked about the paving and why it wasn't done and if the drains were in already.
- Mr. Olsen stated that the storm drains are in where the asphalt is not completed in front of the existing storage units.
- Assistant City Engineer Vitek stated he would require all the undeveloped maneuvering area meet code with some type of hard surfacing.
- Commissioner Frank clarified that the requirement for hard surfacing is required by City Code and asked if the Commission has the ability to overrule a City Code requirement.
- Zoning & Development Manager Carraway explained this is a City Code requirement and that the Commission does not have the ability to overrule City Code.

PUBLIC COMMENTS/QUESTIONS: OPENED & CLOSED WITHOUT COMMENTS

CLOSING STATEMENT:

- Mr. Olsen stated this would not be to allow the use without ever hard surfacing, the paving would be a deferral for the paving requirements to be met at a later date.
- Commissioner Frank asked if the City has a mechanism in place for putting a time frame on the completion process.
- Zoning & Development Manager Carraway stated there is a process in place for this type of request but it is not something this body has the authority to approve.

DELIBERATIONS FOLLOWED:

- Commissioner Woods stated the property is already out of compliance for hard surfacing and the u-haul business in operation without approval. He also stated that he recalls another request where hard surfacing was required for the County Marine Storage Facility. He would be hard pressed to recommend that this be approved, the property is already not in compliance. He agrees with staff recommendations.
- Commissioner Boyd asked what the cost difference is between the hard surface material versus the crushed and chip seal that is being recommended in the interim.
- Assistant City Engineer stated that he is not aware of the cost difference, but that the County was allowed to use this product.
- Mr. Olsen stated it at best if the asphalt cost \$10.00 per foot the chip seal would cost \$4.00 per foot, but that would be a guess.
- Commissioner Boyd asked if the chip seal material would be hard to tear out.

- Mr. Olsen stated it would be as difficult as asphalt. He also stated he was not aware of a special use permit being required for a u-haul business.

MOTION:

Commissioner Wood made a motion to recommend approval of this request, to the City Council, as presented, with staff recommendations as presented. Commissioner DeVore seconded the motion. All members present voted in favor of the motion.

**PUBLIC HEARING SCHEDULED BEFORE THE
CITY COUNCIL MAY 20, 2013**

2. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD to develop a planned mixed-use development consisting of neighborhood commercial uses, including a financial institution facility, on 4.7 acres (+/-) located at the northwest corner of Eastland Drive North and Addison Avenue East. c/o Scott Allen, The Land Group on behalf of Thomas & Cheryl Arledge and TOMERYL, LLC (app. 2563).

APPLICANT PRESENTATION:

Scott Allen, The Land Group, was representing the applicant. He stated part of the request is for a financial use with a drive through window be allowed outright within this PUD Agreement, if approved. He reviewed exhibits on the overhead and explained the site consists of 5 lots. The primary use has always been residential. There is a flood zone through the property which requires a flood plain study at a later date. To the north is a developed subdivision, commercial use located to the east of the property, to the south a mixture of residential/professional uses, and to the west is a professional office/photo studio / residence. The intersection sees 26,000 and 30,000 vehicles per day. The agreement was originally worded so that the drive through would be located on the east side, since then a financial institute has shown interest but would like to relocate the drive through to reduce the impacts of light and safety issues for the equipment. There has been communication with the adjacent neighbors Jim & Mary Fort, who own the property along the entire west boundary, to discuss this change and they were in agreement subject to a few conditions. The request was to place trees at a high density along the drive through area to create a buffer for light trespass. The other area of concern was to reduce the amount of planting along the entry way so that their monument sign is not blocked by landscaping, low plantings will be planted within the first 60'. The remaining concern was access to their property and irrigation. There is not a bridge in this area that can be used to get to access to the north portion of their property without crossing this parcel. A plan for a gate to be installed that they would have a key to will provide them continued access. Another requirement for the NCO zoning designation is that if a building foot print is over 3000 sf. Then 50' of landscaping must be provided along the streets. This 50' landscaping buffer is shown along Eastland Drive and Addison Avenue and the trees that are shown meet the exact amount required per City Code.

The area along the west boundary per landscape plan is a 30' landscape strip and the reason for that is there is a flood plain in this area which does not allow for structures so this will provide a buffer to the neighboring property. The PUD lists a requirement for a minimum of 1 tree every 400 sf and 8' in height at time of planting with a 6' high fence along the west boundary. The landscaping buffer along the north is a 20' landscape strip because of the restrictive nature of the uses it was felt the impact was going to come from the parking areas. The other requirement for NCO zoning is that there has to be a 5' strip of landscaping between parking isles so cumulatively speaking for the entire site is at 30% code only requires 20%.

He reviewed an exhibit summarizing the different code requirements associated with each zone with regards to permitted uses, uses requiring zoning approval, setbacks, landscaping, screening and building heights. The NCO is fairly restrictive as it compares to the other zones in this area. The last item that the PUD Agreement addresses is signage. The PUD has identified three locations for signage, two for the financial institute, one facing each street frontage and one freestanding sign along Eastland Drive that will be a multi-tenant sign. This will reduce stacking of different monument signs and reduce the number of signs along the street frontages making for a cleaner site plan.

Dustee Woolstenhou, representing Idaho Central Credit Union, reviewed the business background. Currently there is a branch located on Pole Line Road with 11,244 active members in the branch. About 4-5,000 members live within 5 miles of this location and to give back they would like to build another facility in Twin Falls. The building will be approximately 5200 sf. and will employ/include 5 tellers, 4 accounts employees, loan desk and support staff, drive-up tellers and an ATM. The exterior will meet the requirements for the PUD and zoning code. The lighting heating and air conditioning will be energy efficient. They are open to being good neighbors and are willing to address any concerns.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and stated this is a request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD on 4.7 acres (+/-) for property located at the northwest corner of Eastland Drive North and Addison Avenue East. This PUD Agreement will allow outright a drive through for the financial institute which under normal circumstance requires a special use permit. The landscape plan exceeds the City Code requirements. The exhibits were presented showing what the signage would look like and requiring a multi-tenant sign for the other buildings to reduce the number of individual signs allowed in the PUD. Compliance with current City Code requirements will be reviewed at the time of building plan submittal, for landscaping, storm water retention and parking. Access has been negotiated with the Engineering Department in exchange for right-of-way to improve the intersection. The development standard and building setbacks will all be reviewed in full to ensure compliance with the City Code and the PUD Agreement.

Planner I Spendlove stated upon conclusion should the Commission recommend approval of this request to City Council, staff recommends the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to the section "Covenants 4-E-4: Signage" being amended as shown in "Attachment 12" of the staff report.

COMMISSIONER QUESTIONS/COMMENTS:

- Commissioner Wood asked if the requirement is that the additional buildings look a specific way.
- Planner I Spendlove stated the design requirements listed in the PUD Agreement and the NCO; Neighborhood Commercial Zoning District requires that the buildings look residential in nature and that they have pitched roofs.

Chairman Frank read into record a letter from a citizen regarding the mature landscaping that exists on the property and who requested that it be maintained as much as possible.

PUBLIC COMMENTS/QUESTIONS: OPENED

- Jim Fort, 2133 Addison Avenue East, stated that what has been presented is accurate and he would like it read into the record that current water shares will continue to be delivered as they exist currently.
- Paula Brown-Sinclair, 2146 Addison Avenue East, stated that they are proud of the transition from residential to commercial and are quite pleased with the request. She would recommend that existing trees not be removed if at all possible. Her only concern is the design of the egress and ingress to the property. She would request that it be looked at closely because of traffic concerns.
- Curtis Webb, 2158 Addison Avenue East stated he is very pleased to see this is the plan. He is in support of this request.
- Ken Stuart, 160 Larkspur Drive stated he is directly west across the pasture area. His concern is the lighting at the Stinker down the road, he is concerned that when the cars come in through the drive through the lights from the cars will be shining through the windows of the houses. He would like a little more of a barrier to address this issue. He asked if the project is going to be approved all at once or if the uses for the other buildings will come at a later date.
- Louise McManaman, 2196 Hillcrest Drive, asks if the zoning is for the entire parcel or just the parcel where the bank wants to build and what kind of retail would be allowed?

PUBLIC COMMENTS/QUESTIONS: CLOSED

CLOSING STATEMENTS:

Mr. Allen explained that until the drawings and plans are engineered the applicant will not be able to determine what trees can remain. He will convey the citizens' concerns to the developers. The PUD requires a light analysis to prevent light trespass to adjacent properties and for security; they will work with the neighbors on a schedule if necessary for lights to be turned off and on. There will not be big lights like the C-Store located down the street. The state does not allow them to hinder access to existing water uses. The City had an agreement with regards to access and right-of-way approaches. This agreement would require that the applicants provide additional right-of-way to the City along Addison Avenue and Eastland Drive and in exchange the City would pay for the approaches to the property to be constructed along with curb & gutter. After revising the plan the approaches are aligned with the approaches to the east on Eastland Drive so that there is not a conflict with one another. There were multiple approaches along Addison Avenue but these will be replaced with one approach as far west of the intersection as possible. This is per the agreement with the City in exchange for the right-of-way. The entire parcel is being requested to be rezoned from R-2 to R-2 NCO PUD.

Currently the intent is for Idaho Central Credit Union to purchase the southerly portion of the property for development. Then the remaining portions will be placed for sale. Uses specific to the sight have been listed in the PUD Agreement with some being outright permitted and uses allowed only with a Special Use Permit approval, which would require a public hearing process. The only uses that would be outright permitted without going through the Special Use Permit process is for the financial institution with a drive-through window on the south lot. Normally this type of use would require a Special Use Permit. One other thing to consider is that the site only has two sewer credits available so the property can't be developed on until the sewer issues are resolved for the City.

DISCUSSION FOLLOWED:

Commissioner Wood stated he would like to commend the applicants and the neighbors for working through this process.

MOTION:

Commissioner Sharp made a motion to recommend approval of the request to the City Council, as presented, with staff recommendations. Commissioner DeVore seconded the motion. All members present voted in favor of the motion.

**PUBLIC HEARING SCHEDULED BEFORE THE
CITY COUNCIL MAY 13, 2013**

**V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER
AND/OR THE PLANNING & ZONING COMMISSION:**

None.

VI. UPCOMING MEETINGS:

Next Planning & Zoning Commission public meetings:

Thursday, May 2, 2013 Public Meeting Planning & Zoning Work Session

Tuesday, May 14, 2013 Public Hearing Planning & Zoning Commission

VII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:50 pm

Lisa A Strickland

Lisa A Strickland

Administrative Assistant

Community Development Department